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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/977,587	10/15/2001	Masahiro Ono	P/3117-30	2752
7590	07/13/2005		EXAMINER	
Steven I. Weisburd, Esq Dickstein Shapiro Morin & Oshinsky LLP 1177 Avenue of the Americas- 41st floor New York, NY 10036-2714			AILES, BENJAMIN A	
			ART UNIT	PAPER NUMBER
			2142	

DATE MAILED: 07/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/977,587	ONO ET AL.	

Examiner	Art Unit	
Benjamin A. Ailes	2142	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 20 May 2005.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-6 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 20 May 2005 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received..
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |



DETAILED ACTION

1. This action is in response to the Amendment filed 20 May 2005.
2. Claims 1-6 have been examined.

Drawings

3. The drawings were received on 20 May 2005. These drawings are in conformance. Applicant's argument in regards to Figure 3 is persuasive. The objection to figure 3 has been withdrawn. The new drawings have been entered into the record.

Specification

4. The amended specification has been entered into the record. The specification objection in regards to the embedded hyperlink has been withdrawn.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-6 are rejected under 35 U.S.C. 102(e) as being anticipated by Farber et al. (U.S. 6,185,598), hereinafter referred to as Farber et al.
7. Regarding claim 1, Farber et al. disclose a repeater equipment comprising a client side terminal connected to a client, server side terminals connected to servers, a cache server side terminal connected to a cache server and repeat control means

provided in between said client side terminal, said server side terminals and said cache server side terminal (see abstract, Fig. 1); wherein:

Said repeat control means provides a means for repeating a repeat request signal coming into said client side terminal to said cache server side terminal and a means for repeating digital information coming into said cache server side terminal that corresponds to that request signal to said client side terminal which is connected to the client that delivered that request signal (col. 2, line 65 – col. 3, line 13 and col. 5, lines 3-17);

Said cache server provides a means for requesting from said servers, forwarding of the appropriate digital information at times when digital information appropriate to said request signal is not stored within said cache server itself (col. 5, lines 23-25);

Said repeat control means provides a means for repeating to said server side terminals, this forwarding request signal of said means for requesting coming to said cache server side terminal, and a means for repeating digital information coming to said server side terminal that corresponds to the forwarding request signal to said cache server side terminal (col. 5, lines 18-25);

Said cache server provides a means for sending said digital information forwarded from said servers with the address of the client that sent the request signal for the appropriate digital information (col. 5, lines 23-25); and

Said repeat control means provides a means for repeating digital information coming to said cache server side terminal to said client side terminal which is connected to the client with that address (col. 5, lines 18-25 and 41-49);

Which is provided an address conversion circuit for writing address information on the client that is the source of the request for digital information leading to that forwarding operation, into said forwarding request signal (col. 5, lines 18-25 and 41-49, col. 7, lines 3-26 and 38-44).

8. Regarding claim 2, in accordance with claim 1, Farber et al. disclose the method wherein multiple said server side terminals are provided for handling multiple different protocols and wherein said repeat control means includes a means for repeating to the appropriate terminal with matching protocol from among said multiple server side terminals in accordance with a process identifier included in the request signal coming from said client side terminal (col. 5, lines 26-33 and col. 6, lines 28-53).

9. Regarding claim 3, in accordance with claim 2, Farber et al. disclose repeater equipment wherein said multiple protocols include HTTP and SMTP (col. 5, line 59 – col. 6, line 5 and col. 17, lines 28-53).

10. Regarding claim 4, in accordance with claim 1, Farber et al. disclose a storage medium in which is stored a control program which when stored in a digital processor in which an operating system is set allows the digital processor to operate as a repeater equipment (col. 5, lines 18-25).

11. Regarding claim 5, in accordance with claim 2, Farber et al. disclose a storage medium in which is stored a control program which when stored in a digital processor in which an operating system is set allows the digital processor to operate as a repeater equipment (col. 5, lines 18-25).

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12. Regarding claim 6, in accordance with claim 3, Farber et al. disclose a storage medium in which is stored a control program which when stored in a digital processor in which an operating system is set allows the digital processor to operate as a repeater equipment (col. 5, lines 18-25).

Response to Arguments

13. Applicant's arguments filed 20 May 2005 have been fully considered but they are not persuasive.

14. (A) Applicant argues that Farber does not disclose "...an address conversion circuit for writing address information on the client that is the source of the request for digital information leading to that forwarding operation into said forwarding request signal."

15. As to point (A), the Examiner respectfully disagrees. Farber clearly discloses the need to write address information in regards to the client as being the source of the request. Each node in the network as disclosed by Farber has a network address (col. 5, lines 40-49) which is necessary in a networking environment in order for messages or information to be delivered between nodes correctly. Without knowing or keeping a record of what the address of the client is, there is no way for the client to accept a response if the client does not provide a network address. When a client makes a request of any kind it must provide address if it expects to receive a response when requesting information, in the applicant's invention's case, a request for "digital information."

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Conclusion

16. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
17. Colby et al. (U.S. 6,862,624) disclose a method and apparatus for directing a flow of packets based on request and server attributes.
18. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Benjamin Ailes whose telephone number is (571)272-3899. The examiner can normally be reached Monday through Friday, 7:30-5, First Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell, can be reached on (571)272-3868. The fax phone

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number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Andrew Caldwell
ANDREW CALDWELL
SUPERVISORY PATENT EXAMINER

BAA